

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

IN RE:

ROBIN YOUNG  
CONSTANCE YOUNG

CASE #: 16-bk-02608  
Chapter 13

Debtors.

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OBJECTION TO CLAIMS NO. 3 AND 4 OF CREDITOR  
CARMAX FUNDING SERVICES, LLC AS TO INTEREST RATE

Notice of Opportunity to Object and for Hearing

Pursuant to Local Rule 2002-4, the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files an objection within thirty (30) days from the date of service of this paper. If you object to the relief requested in this paper, you must file your objection with the Clerk of the Bankruptcy Court at 400 W. Washington Street, Suite 5100, Orlando, Florida 32801, and serve a copy of the same on the Chapter 13 Trustee, Laurie K. Weatherford, Post Office Box 3450, Winter Park, Florida 32790 and upon the Attorney for Debtors, L. Todd Budgen, PO Box 520546, Longwood, FL 32752.

If you file and serve an objection within the time permitted, the Court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in the paper, will proceed to consider the paper without further notice or hearing and may grant the relief requested.

COME NOW, the Debtor, by and through the undersigned counsel and files this Objection to Proofs of Claim No. 3 and 4 filed by Creditor Carmax Funding Services, LLC and states as follows:

1. Debtor filed Chapter 13 Bankruptcy on April 20, 2016.
2. Laurie K. Weatherford is the standing Chapter 13 Trustee.
3. Creditor Carmax Funding Services LLC filed secured proof of claim no. 3 on May 17, 2016 in the amount of \$11,146.95 asserting the value of its collateral is \$8,450.00 to be paid at the rate of 7.75% per annum.
4. Credit Carmax Funding Services LLC filed secured proof of claim no. 4 on May 17, 2016 in the amount of \$16,721.71 asserting the value of its collateral is \$12,300.00 to be paid at the rate of 11.65% per annum.

5. The requested interest rates are excessive.
6. A hearing on this matter would take about five (5) minutes.

WHEREFORE, Debtor respectfully requests that an Order be entered sustaining the Objection to Claims No. 3 and 4 and that the Court decrease the requested interest rate to the Till interest rate of 5.25%.

/s/ L. Todd Budgen  
L. Todd Budgen  
Florida Bar No. 0296960  
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Longwood, FL 32752  
Phone: (407) 481-2888  
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Attorney for Debtors  
tbudgen@mybankruptcyfirm.com

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided by electronic transmission or United States first class mail, postage pre-paid, on or before the 19<sup>th</sup> day of August, 2016 to: Laurie K. Weatherford, Chapter 13 Trustee, P.O. Box 3450, Winter Park, FL 32790-3450; Carmax Funding Services LLC, attn.: officer or managing or general agent, 225 Chastain Meadows Court, Kennesaw, GA 30144; Katheryn E. Magaha, authorized agent for Carmax Funding Services, LLC, Quantum3 Group LLC, P.O. Box 788, Kirkland WA 98083-0788.

/s/ L. Todd Budgen  
L. Todd Budgen  
Attorney for Debtor